

WEDNESDAY, JANUARY 21, 1998

FIFTY-FIFTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Brother Alvin Douglass, Bazeltown Baptist Church, Harriman, Tennessee.

Representative Ferguson led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jackson, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Caldwell; business reasons

Representative Jackson; personal reasons

PERSONAL ORDERS

RECOGNITION IN THE WELL

Rep. Ferguson was recognized in the Well to introduce the Douglass family.

RULES SUSPENDED

Rep. Ferguson moved that the rules be suspended for the purpose of introducing House Resolution No. 136 out of order, which motion prevailed.

House Resolution No. 136 -- Memorials, Professional Achievement - Douglass Family Gospel Singers, 31 years of gospel music. by *Ferguson.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Ferguson, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

RULES SUSPENDED

Rep. Kisber moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 455 out of order, which motion prevailed.

House Joint Resolution No. 455 -- Memorials, Death - Carl Perkins. by *Kisber, *Naifeh, *McDaniel, *Rinks, *Hargrove.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kisber, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

BILLS WITHDRAWN

On motion of Rep. Beavers, **House Bill No. 1245** was recalled from the Health & Human Resources Committee and withdrawn from the House.

On motion of Rep. Gunnels, **House Bill(s) No(s). 1799 and 1800** were recalled from the Consumer & Employee Affairs Committee and withdrawn from the House.

On motion of Rep. Davis, **House Bill No. 2226** was withdrawn from the House.

On motion of Rep. Tidwell, **House Bill No. 2303** was withdrawn from the House.

On motion of Rep. Sargent, **House Bill No. 2207** was withdrawn from the House.

On motion of Rep. Kent, **House Bill No. 1811** was recalled from the State & Local Government Committee and withdrawn from the House.

On motion of Rep. Clabough, **House Bill No. 1240** was recalled from the Health & Human Resources Committee and withdrawn from the House.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Resolution No. 133: Rep(s). Fowlkes as prime sponsor(s).

House Joint Resolution No. 442: Rep(s). Naifeh, Kisber and Hargrove as prime sponsor(s).

House Joint Resolution No. 444: Rep(s). Garrett as prime sponsor(s).

House Bill No. 2100: Rep(s). Sargent, Sharp, Davis, Buck, Boner, Cooper, Hargett, Stulce, Curtiss, Pleasant, Turner(Hamilton), Brooks, Bird, Stamps, Pinion, Maddox, Haley, Harwell, Godsey, Winningham, Fitzhugh, Mumpower, McAfee, McKee, Ford, Walley, McDaniel, White, Boyer, Dunn, Brown, Wood, Walker, Huskey and Garrett as prime sponsor(s).

House Bill No. 2188: Rep(s). Lewis as prime sponsor(s).

MESSAGE FROM THE SENATE
January 20, 1998

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 401; also, House Joint Resolution(s) No(s). 437; both signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK
January 20, 1998

The following bill(s) was/were transmitted to the Governor for his action: House Bill(s) No(s). 401; also, House Joint Resolution(s) No(s). 437.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENGROSSED BILLS
January 21, 1998

The following bill(s) have been examined, engrossed, and are ready for transmission to the Senate: House Joint Resolution(s) No(s). 455.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
January 21, 1998

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 427; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENROLLED BILLS
January 21, 1998

MR. SPEAKER: Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Resolution(s) No(s). 133 and 136; and find same correctly enrolled and ready for the signature of the Speaker.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
January 21, 1998

The Speaker signed the following: House Resolution(s) No(s). 133 and 136.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS
January 21, 1998

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 427.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED
January 21, 1998

The Speaker signed the following: House Joint Resolution(s) No(s). 427

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE
January 21, 1998

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 365, 366, 368, 371, 372, 373, 374, 375, 383 and 384; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 365 -- Memorials, Professional Achievement - Judge John Turnbull, Judge of the Year. by *Davis L.

Senate Joint Resolution No. 366 -- Memorials, Death - Herb M. Fanning. by *Cooper.

Senate Joint Resolution No. 368 -- Memorials, Professional Achievement - Robert M. "Mike" Curry, 1996-1997 President Tennessee Bankers Association. by *Cooper.

Senate Joint Resolution No. 371 -- Memorials, Public Service - Nickie Lancaster, Easter Seals honoree. by *Haynes, *Cohen.

Senate Joint Resolution No. 372 -- Memorials, Professional Achievement - Linda Arms Gilbert, 1998 Tennessee Teacher of the Year. by *Womack.

Senate Joint Resolution No. 373 -- Memorials, Recognition and Thanks - Sheila Young. by *Fowler.

Senate Joint Resolution No. 374 -- Memorials, Public Service - Copperweld Corporation. by *Cooper.

Senate Joint Resolution No. 375 -- Memorials, Professional Achievement - Lynda Pinkston, 1998 Tennessee Teacher of the Year finalist. by *Cooper.

Senate Joint Resolution No. 383 -- Memorials, Death - Senator Carl O. Koella, Jr. by *Atchley, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

Senate Joint Resolution No. 384 -- General Assembly, Joint Conventions - Budget Address by Governor Sundquist, February 2, 1998. by *Atchley, *Crutchfield.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for January 22, 1998:

House Resolution No. 134 -- Memorials, Professional Achievement - Jettie Clabo, "Outstanding Trustee of the Year." by *Huskey.

House Resolution No. 135 -- Memorials, Professional Achievement - Reverend Greg Kelly, "Small Church Pastor of the Year." by *Ferguson.

House Resolution No. 137 -- Memorials, Public Service - Colonel Matt D. McKnight. by *Windle, *Eckles, *Hood.

House Resolution No. 138 -- Memorials, Interns - Kirsten Cassel, Page. by *Hargrove.

House Joint Resolution No. 449 -- Memorials, Sports - 1997 Munford High School football team, runner-up, TSSAA Division 1, Class 5-A. by *Naifeh.

House Joint Resolution No. 450 -- Memorials, Sports - 1997 Covington High School football team, TSSAA Division 1, Class AAA state playoffs quarter finalist. by *Naifeh.

House Joint Resolution No. 451 -- Memorials, Public Service - Bedford County Ambulance Service. by *Phillips.

House Joint Resolution No. 452 -- Memorials, Public Service - J. Frank Walker. by *Sands.

House Joint Resolution No. 453 -- Memorials, Professional Achievement - Dr. James H. Daughdrill, President of Rhodes College. by *Hargett.

House Joint Resolution No. 454 -- Memorials, Sports - 1997 Mt. Juliet High School football team. by *Beavers, *Bone.

House Joint Resolution No. 457 -- Memorials, Sports - 1997 White House High School football team, TSSAA Division 1, Class 3-A state champions. by *McDonald, *Davidson, *Stamps, *Dunn, *Garrett.

House Joint Resolution No. 458 -- Memorials, Academic Achievement - Kesmet Kerley, Mission to Mars web site, first prize, 1997 Thinkquest contest. by *Hargett.

**SENATE JOINT RESOLUTIONS
(Congratulatory and Memorializing)**

Pursuant to **Rule No. 17**, the resolution(s) listed was/were noted as being placed on the Consent Calendar for January 22, 1998:

Senate Joint Resolution No. 365 -- Memorials, Professional Achievement - Judge John Turnbull, Judge of the Year. by *Davis L.

Senate Joint Resolution No. 366 -- Memorials, Death - Herb M. Fanning. by *Cooper.

Senate Joint Resolution No. 368 -- Memorials, Professional Achievement - Robert M. "Mike" Curry, 1996-1997 President Tennessee Bankers Association. by *Cooper.

Senate Joint Resolution No. 371 -- Memorials, Public Service - Nickie Lancaster, Easter Seals honoree. by *Haynes, *Cohen.

Senate Joint Resolution No. 372 -- Memorials, Professional Achievement - Linda Arms Gilbert, 1998 Tennessee Teacher of the Year. by *Womack.

Senate Joint Resolution No. 373 -- Memorials, Recognition and Thanks - Sheila Young. by *Fowler.

Senate Joint Resolution No. 374 -- Memorials, Public Service - Copperweld Corporation. by *Cooper.

Senate Joint Resolution No. 375 -- Memorials, Professional Achievement - Lynda Pinkston, 1998 Tennessee Teacher of the Year finalist. by *Cooper.

Senate Joint Resolution No. 383 -- Memorials, Death - Senator Carl O. Koella, Jr. by *Atchley, *Atchley, *Burks, *Carter, *Cohen, *Cooper, *Crowe, *Crutchfield, *Davis L, *Dixon, *Elsea, *Ford J, *Fowler, *Gilbert, *Graves, *Harper, *Haun, *Haynes, *Henry, *Herron, *Jordan, *Koella, *Kurita, *Kyle, *Leatherwood, *McNally, *Miller J, *Person, *Ramsey, *Rochelle, *Springer, *Wilder, *Williams, *Womack.

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

***House Bill No. 2142** -- Judges and Chancellors - Creates new position of chancellor in fifth judicial district effective 9/1/98, to be elected in 8/98; provides that chancellor presently serving both fourth and fifth districts will, after such date, serve only fourth district. Amends TCA Section 16-2-506(4)(A) and (5)(A). by *Clabough.

***House Bill No. 2143** -- Taxes, Sales - Deletes prohibition against Knox County trustee being entitled to compensation for receiving and distributing locally imposed sales taxes. Amends TCA Section 67-6-712(c). by *Burchett.

***House Bill No. 2144** -- Taxes, Sales - Redefines "telecommunications" to exclude certain wireless cable television services in sales and use tax; makes only premium services of those wireless cable television services subject to amusement tax. Amends TCA Sections 67-6-102(29)(D) and 67-6-212. by *Burchett.

House Bill No. 2145 -- Sunset Laws - Cancer reporting advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29, Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2146 -- Sunset Laws - Department of agriculture, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2147 -- Sunset Laws - Panel on health care facility penalties, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 11. by *Kernell, *Garrett, *Brooks.

House Bill No. 2148 -- Sunset Laws - Terminates enterprise zone management board. Amends TCA Title 4, Chapter 29 and Title 13, Chapter 28. by *Kernell, *Garrett, *Brooks.

House Bill No. 2149 -- Sunset Laws - Pest control compact, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 43, Chapter 6. by *Kernell, *Garrett, *Brooks.

House Bill No. 2150 -- Sunset Laws - State certification program, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 5. by *Kernell, *Garrett, *Brooks.

House Bill No. 2151 -- Sunset Laws - Department of health, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2152 -- Sunset Laws - Department of mental health and mental retardation, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2153 -- Sunset Laws - Department of children's services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 37, Chapter 5. by *Kernell, *Garrett, *Brooks.

House Bill No. 2154 -- Sunset Laws - Department of education, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2155 -- Sunset Laws - Lakeshore mental health institute, board of trustees, June 30, 2006 Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2156 -- Sunset Laws - Memphis mental health institute, board of trustees, June 30, 2006 Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

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House Bill No. 2157 -- Sunset Laws - Middle Tennessee mental health institute, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2158 -- Sunset Laws - Moccasin Bend mental health institute, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2159 -- Sunset Laws - Nat T. Winston developmental center, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2160 -- Sunset Laws - Families First advisory council, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 71, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2161 -- Sunset Laws - Petroleum underground storage tank board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 215. by *Kernell, *Garrett, *Brooks.

House Bill No. 2162 -- Sunset Laws - Genetic advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 5. by *Kernell, *Garrett, *Brooks.

House Bill No. 2163 -- Sunset Laws - Epilepsy advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 49. by *Kernell, *Garrett, *Brooks.

House Bill No. 2164 -- Sunset Laws - Interagency council on osteoporosis, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2165 -- Sunset Laws - Public health council, June 30, 2005. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2166 -- Sunset Laws - Mental health and mental retardation board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2167 -- Sunset Laws - Department of environment and conservation, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2168 -- Sunset Laws - Higher education and technical institution publication committee, June 30, 2002. Amends TCA Title 4, Chapter 29 and Title 12, Chapter 7. by *Kernell, *Garrett, *Brooks.

House Bill No. 2169 -- Sunset Laws - Public livestock market board, June 30, 2000. Amends TCA Title 4, Chapter 29 and Title 44, Chapter 12. by *Kernell, *Garrett, *Brooks.

House Bill No. 2170 -- Sunset Laws - State board of education, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 49, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2171 -- Sunset Laws - Forestry commission, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 11, Chapter 4. by *Kernell, *Garrett, *Brooks.

House Bill No. 2172 -- Sunset Laws - Department of safety, June 30, 2004; requires comptroller of treasury to review issuance of commercial driver licenses by department. Amends TCA Title 4, Chapter 29 and Title 4, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2173 -- Sunset Laws - Advisory committee for children's special services, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 12. by *Kernell, *Garrett, *Brooks.

House Bill No. 2174 -- Sunset Laws - Hemophilia advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 41, relative. by *Kernell, *Garrett, *Brooks.

House Bill No. 2175 -- Sunset Laws - Perinatal advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2176 -- Sunset Laws - Primary health care centers advisory board, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 1. by *Kernell, *Garrett, *Brooks.

House Bill No. 2177 -- Sunset Laws - Solid waste disposal control board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 211. by *Kernell, *Garrett, *Brooks.

House Bill No. 2178 -- Sunset Laws - Water quality control board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 3. by *Kernell, *Garrett, *Brooks.

House Bill No. 2179 -- Sunset Laws - Air pollution control board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 201. by *Kernell, *Garrett, *Brooks.

House Bill No. 2180 -- Sunset Laws - Ground water management review board, June 30, 2001. Amends TCA Title 4, Chapter 29 and Title 69, Chapter 11. by *Kernell, *Garrett, *Brooks.

House Bill No. 2181 -- Sunset Laws - Traumatic brain injury advisory council, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 55. by *Kernell, *Garrett, *Brooks.

House Bill No. 2182 -- Sunset Laws - Renal disease advisory committee, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 68, Chapter 35. by *Kernell, *Garrett, *Brooks.

House Bill No. 2183 -- Sunset Laws - Western Mental Health Institute, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

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House Bill No. 2184 -- Sunset Laws - Arlington developmental center, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2185 -- Sunset Laws - Greene Valley Developmental Center, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

House Bill No. 2186 -- Sunset Laws - Clover Bottom developmental center, board of trustees, June 30, 2006. Amends TCA Title 4, Chapter 29 and Title 33, Chapter 2. by *Kernell, *Garrett, *Brooks.

***House Bill No. 2187** -- Naming and Designating - "General Clifton B. Cates Armory," Tiptonville, Lake County. by *Pinion.

House Bill No. 2188 -- Veterans - Requires, rather than authorizes, counties and municipalities to establish veterans service offices; requires accredited county and municipal veterans service officers to be compensated based on scale equal to county election registrars. Amends TCA Title 58, Chapter 3. by *Maddox, *Lewis.

House Bill No. 2189 -- Taxes, Inheritance Gift - Raises fee to receive "paid" tax certificate on real estate from \$1.00 to \$2.00 for inheritance tax purposes. Amends TCA Title 67, Chapter 8. by *Fowlkes.

House Bill No. 2190 -- Taxes, Inheritance Gift - Increases \$600,000 one-time inheritance tax exemption incrementally from \$625,000 to \$1,000,000 in 2006. Amends TCA Title 67, Chapter 8, Part 3. by *Mumpower.

House Bill No. 2191 -- County Officers - Sets salary for Hawkins County executive under general law formula rather than at general sessions court judges salary. Amends TCA Section 5-6-105. by *Givens.

House Bill No. 2192 -- Sentencing - Increases from Class A misdemeanor to Class E felony punishment for property valued at \$500 or less that is stolen or vandalized if such property belonged to county government. Amends TCA Title 39, Chapter 14. by *Davis R, *Whitson.

House Bill No. 2193 -- Sewage - Authorizes professional geologists to conduct percolation tests for subsurface sewage systems. Amends TCA Title 68, Chapter 221, Part 4. by *Sands.

House Bill No. 2194 -- Custody and Support - Prohibits court from ordering visitation rights to parent of child who has been convicted of first degree murder of child's other parent unless child assents to such order. Amends TCA Title 36, Chapter 6, Part 3. by *Fowlkes.

House Bill No. 2195 -- Consumer Protection - Prohibits telemarketers from offering lottery winnings to consumers in exchange for incurring monetary obligation or making a purchase; violation is theft and graded as such; clarifies such practice violates Consumer Protection Act. Amends TCA Title 39 and Title 47, Chapter 18. by *McDonald, *Davidson, *Head, *Fowlkes, *Williams (Williamson), *Pinion, *Hood, *Rhinehart, *Lewis, *Ferguson, *Curtiss, *Ridgeway, *Fitzhugh.

House Bill No. 2196 -- Surveyors - Exempts from licensing certain persons employed as land surveyors. Amends TCA Title 62, Chapter 18. by *Davis R.

House Bill No. 2197 -- Grainger County - Abolishes budget and finance commission and system. - Repeals Chapter 502 of the Private Acts of 1939. by *Roach.

***House Bill No. 2198** -- Health - Prohibits cloning of human beings. by *Givens.

House Bill No. 2199 -- Sports - Authorizes commissioner of commerce and insurance to withhold all or part of purse or other money payable to contestant, manager or second in professional boxing match for certain misconduct by such participants. Amends TCA Title 68, Chapter 115, Part 2. by *Windle.

House Bill No. 2200 -- Sewage - Increases from 30 to 45 days time within which applicant for subsurface sewage disposal system permit must petition for hearing following decision by commissioner on such permit. Amends TCA Title 68, Chapter 221, Part 4. by *McAfee.

***House Bill No. 2201** -- Insurance, Motor Vehicles - Provides for percentage premium refunds for insured motor vehicle operators not making claims within certain period. Amends TCA Title 56, Chapter 7, Part 11. by *Miller L.

***House Bill No. 2202** -- Day Care - Requires DHS licensure application and renewal fees, collected from family child care homes, group child care homes and child care centers, to be earmarked and used solely for training and educational programs and services for child care providers. Amends TCA Section 71-3-506. by *Halteman Harwell.

***House Bill No. 2203** -- Health - Establishes procedures and protections for use of automatic external defibrillators to save life of person in cardiac arrest. Amends TCA Section 68-135-201 and Title 68, Chapter 140. by *Halteman Harwell, *West, *Walley.

House Bill No. 2204 -- Process, Service of - Requires service of subpoena on local health department employee within not less than ten days before stated court appearance time. Amends TCA Section 23-2-105. by *Williams (Williamson).

House Bill No. 2205 -- Judicial Officers - Requires court clerk's report on administrative fees and appointed counsel to be part of automated reporting provisions of Tennessee court information system or comparable system when implemented. Amends TCA Title 37, Chapter 1 and Title 40, Chapter 14. by *Hargrove.

***House Bill No. 2206** -- Fire Prevention and Investigation - Creates notification and investigation procedures within division of fire prevention, for blasting incidents resulting in personal injury. Amends TCA Title 68, Chapter 105. by *Gunnels, *McDaniel.

***House Bill No. 2208** -- Fire Prevention and Investigation - Permits deputy fire inspectors appointed by authorized city officials to conduct electrical inspections for a fee upon request of property owners, electric suppliers, or municipal or county governments. Amends TCA 68-102-143. by *Westmoreland, *McDaniel.

***House Bill No. 2209** -- Commerce and Insurance, Dept. of - Permits division of regulatory boards to assess departmental costs incurred during disciplinary proceedings upon sanctioned person or entity. Amends TCA Title 56, Chapter 1, Part 3. by *Boyer, *McDaniel.

***House Bill No. 2210** -- Administrative Procedure - Redefines "rule" to exclude statements concerning inmates of correctional or detention facility. Amends TCA Title 4, Chapter 5, Part 1. by *Stamps, *McDaniel.

***House Bill No. 2211** -- Textbooks - Raises earnest money certified check limit for publishers bidding on textbook contracts from \$2,000 maximum to \$10,000 (\$1,000 per book) and bond requirements from \$10,000 maximum to \$1,000,000. - TCASection 49-6-2203. by *Boyer, *McDaniel.

***House Bill No. 2212** -- Basic Education Program (BEP) - Rewrites BEP's state funding allocation formula. Amends TCA 49-3-351(d). by *Davis R, *McDaniel.

***House Bill No. 2213** -- Education - Increases and reorganizes membership of special education advisory council; redefines "child with disabilities." NOTE: This bill purports to amend TCA 49-10-102; however, such section is not cited in the caption. Amends TCA 49-10-101 and 49-10-105. by *Davis R, *McDaniel.

***House Bill No. 2214** -- Unemployment Compensation - Restricts use of Reed Act moneys credited or allocated for fiscal years 1999-2002 solely to administration of unemployment insurance program. Amends TCA 50-7-502(a). by *Hargett, *McDaniel.

***House Bill No. 2215** -- Unemployment Compensation - Allows claimant to receive full benefits in same week receive pension payment if pension is rolled into IRA. Amends TCA 50-7-303(a)(8)(A)(I). by *Burchett, *McDaniel.

***House Bill No. 2216** -- Water Pollution - Rewrites certain drinking water system definitions and requirements. Amends TCA Title 68, Chapter 221, Part 7. by *McAfee, *McDaniel.

***House Bill No. 2217** -- Administrative Procedure - Eliminates requirement that department of environment and conservation quote incorporated provisions of federal regulations and statutes verbatim. Amends TCA 4-5-218(e). by *McAfee, *McDaniel.

***House Bill No. 2218** -- Surplus Property - Requires proceeds from lease of surplus state property for communications relay apparatus or antennae sites to be earmarked for state park facilities maintenance. Amends TCA 12-2-112. by *McAfee, *McDaniel.

***House Bill No. 2219** -- Public Contracts - Specifies that written protest required of person claiming to be aggrieved by solicitation of process for state services contract be submitted to head of affected department or agency. Amends TCA Title 12, Chapter 4, Part 1. by *Kent, *McDaniel.

***House Bill No. 2220** -- Law Enforcement - Expands multi-jurisdiction power of law enforcement officers working drug cases to prosecutorial investigators and violent crime cases. Amends TCA 8-7-110. by *Kent, *McDaniel.

***House Bill No. 2221** -- Banks and Financial Institutions - Permits department of financial institutions and other bank supervisory agencies to share portion of fees paid by Tennessee banks with branches in other states. Amends TCA 45-2-1408(f). by *Sargent, *McDaniel.

***House Bill No. 2222** -- Purchasing - Increases amount of money that can be spent on informal purchases and small purchases; authorizes commissioner of general services to enter into cooperative purchasing agreements. Amends TCA Title 12, Chapter 3. by *Sharp, *McDaniel.

***House Bill No. 2223** -- Taxes - Tolls 90 day period for filing lawsuit when taxpayer requests conference with commissioner challenging tax assessment. Amends TCA Section 67-1-1801. by *Scroggs, *McDaniel.

***House Bill No. 2224** -- Revenue, Dept. of - Permits department to require electronic filing of returns and supporting documentation if taxpayer required to pay taxes by electronic funds transfer. Amends TCA 67-1-703. by *Gunnels, *McDaniel.

***House Bill No. 2225** -- Taxes, Excise - Defines "doing business in Tennessee" and "doing business within this state" for excise tax purposes. Amends TCA 67-4-804. by *Haley, *McDaniel.

***House Bill No. 2227** -- Tobacco, Tobacco Products - Permits county and municipal law enforcement agencies to receive 50 percent of net proceeds realized from confiscated contraband tobacco products seized by officer of agency. Amends TCA 67-4-1021. by *Haley, *McDaniel.

***House Bill No. 2228** -- Taxes - Authorizes department of revenue to automatically refund or credit estimated taxes paid in excess of actual liability without audit review. Amends TCA 67-1-1802. by *Walley, *McDaniel.

***House Bill No. 2229** -- Railroads - Reduces department of transportation railway inspection fee to \$0.04 per 1,000 ton mile. Amends TCA 65-3-201. by *Haley, *McDaniel.

***House Bill No. 2230** -- Race Relations - Requires staff of historical commission to compile and publish guide on African-American markers placed throughout state to acquaint citizens and visitors with cultural and historical heritage of African-Americans in Tennessee. by *Pruitt.

House Bill No. 2231 -- Sevier County - Subject to local approval, repeals trial justice court; authorizes second part of general sessions court; grants jurisdiction over probate and juvenile matters - Repeals Chapter 34 of the Private Acts of 1973 as amended. by *Huskey.

***House Bill No. 2232** -- Courts, General Sessions - Removes restriction for having general sessions court in Sevier County. Amends TCA Section 16-15-101. by *Huskey.

House Bill No. 2233 -- Millington - Subject to local approval, authorizes hotel-motel tax. Amends Chapter 238 of the Acts of 1903. by *Haley.

House Bill No. 2234 -- Taxes, Real Property - Specifies public records to be searched by delinquent tax attorney for giving notice to persons having interest in property to be sold are those records in offices of assessor of property, trustee and register of deeds. Amends TCA Title 67. by *Rhinehart.

House Bill No. 2235 -- Bond Issues - Authorizes Bedford County utility district, acting by resolution, to issue and sell revenue bonds in an amount not to exceed \$2.7 million for purpose of building and operating waste water treatment plant and water and sewer lines. by *Phillips.

***House Bill No. 2236** -- Motor Vehicles - Requires private wrecker services employed by lender or lienholder to seize or repossess motor vehicle to notify within 48 hours local law enforcement authorities of make, year, color and VIN number of such motor vehicle. Amends TCA Title 66, Chapter 19, Part 1. by *West.

***House Bill No. 2237** -- Private Protective Services - Requires written notice to be given to department of commerce and insurance when private security guard/officer's employment terminated. Amends TCA Title 62, Chapter 35, Part 1. by *West.

***House Bill No. 2238** -- Health - Authorizes Davidson County to set exterior design standards for ambulances owned or operated by Davidson County. Amends TCA Section 68-140-507. by *West.

***House Bill No. 2239** -- Search & Seizure - Authorizes magistrate to issue administrative search warrant for code violations. Amends TCA Title 68, Chapter 101, Part 1. by *West.

***House Bill No. 2240** -- Taxes, Real Property - Authorizes certain elderly persons to defer payment of property taxes until property is sold or title is otherwise transferred. Amends TCA Title 67, Chapter 5. by *West.

***House Bill No. 2241** -- Insurance, Health, Accident - Mandates coverage for infertility treatments by health insurance policies issued in this state. Amends TCA Title 56, Chapter 7. by *West.

***House Bill No. 2242** -- Real Property - Requires administrator and all members of board of administration of condominium properties to be Tennessee residents. Amends TCA Title 66, Chapter 27, Part 1. by *West.

***House Bill No. 2243** -- Private Protective Services - Specifies qualifications of certified trainers of private security guards/officers. Amends TCA Title 47, Chapter 18 and Title 62, Chapter 35. by *West.

***House Bill No. 2244** -- Private Protective Services - Exempts retired law enforcement officers from certain licensing requirements for armed security officers/guards. Amends TCA Section 62-35-103. by *West.

***House Bill No. 2245** -- Law Enforcement - Prohibits purchase of law enforcement uniform by person not valid law enforcement officer. Amends TCA Section 39-16-301. by *West.

***House Bill No. 2246** -- Highways, Roads and Bridges - Authorizes citations to be mailed to offenders who violate restrictions relative to HOV lanes. Amends TCA Section 55-8-188. by *West.

***House Bill No. 2247** -- Highways, Roads and Bridges - Urges department of transportation to conduct feasibility study to widen segment of Lebanon Road in Davidson County. by *West.

***House Bill No. 2248** -- Contractors - Includes Maury County within home inspector contracting law. Amends TCA Title 62, Chapter 6, Part 3. by *Sands.

***House Bill No. 2249** -- Bond Issues - Approves bond issuance of \$1 million for nursing home center for hearing impaired persons. by *West.

***House Bill No. 2250** -- Contractors - Exempts Houston County from requirement that persons building dwellings on private property receive license from board for licensing contractors. Amends TCA Title 62, Chapter 6. by *Ridgeway.

***House Bill No. 2251** -- Private Protective Services - Enacts "Tennessee Private Investigator, Alarm Systems Contractor and Private Security Contractor Act of 1998." Amends TCA Title 4, Chapter 29 and Title 62. by *West.

***House Bill No. 2252** -- Motor Vehicles, Titling and Registration - Requires driver license or copy of driver license to accompany all applications for issuance of registration of motor vehicle or renewal of registration of motor vehicle. Amends TCA Title 55, Chapter 4. by *West.

***House Bill No. 2253** -- Municipal Government - Clarifies authority of mayor-alderman governing body to adopt matters other than ordinances on one day; requires all votes on all matters to be recorded; permits body to provide by ordinance for municipal court costs. Amends TCA Section 6-2-102 and Section 6-2-201. by *West.

***House Bill No. 2254** -- Alcoholic Beverage Commission - Directs commissioners of finance and administration and personnel, and the director of alcoholic beverage commission to develop salary administration plan for law enforcement officers of alcoholic beverage commission. Amends TCA Title 57, Chapter 1. by *West.

***House Bill No. 2255** -- Tobacco, Tobacco Products - Deletes TCA sections relative to certain trade practices. Amends TCA Title 47, Chapter 25, Part 3. by *Head.

House Bill No. 2256 -- Crime, Victims of - Permits occupant of motor vehicle to use sufficient force to resist offense if such occupant reasonably believes unlawful force will be used against occupant to commit burglary of vehicle or robbery of occupant. Amends TCA Title 38, Chapter 2. by *Buck.

***House Bill No. 2257** -- Tort Liability - Adds misdemeanors involving force or violence to provision prohibiting person committing felony on property of another from recovering damages for injuries inflicted by property owner during course of felony. Amends TCA Title 28; Title 29; Title 37 and Title 55. by *Buck.

***House Bill No. 2258** -- Insurance Companies, Agents, Brokers - Requires licensed insurance agent convicted of DUI or misdemeanor domestic abuse offense to provide copy of judgment of conviction to commissioner within 30 days as is now required for felony convictions Amends TCA Title 55 and Title 56. by *Buck.

House Bill No. 2259 -- Alcoholic Offenses - Enacts "Most Aggravated Drunk Drivers Act of 1998." Amends TCA Title 55, Chapter 10, Part 4. by *Buck.

House Bill No. 2260 -- Victims Rights - Enacts "Victim and Citizen Criminal Apprehension and Protection Act of 1998." Amends TCA Title 39, Chapter 11, Part 6. by *Buck.

***House Bill No. 2261** -- Courts - Requires social security number be listed on cost bond of party bringing civil action or authorizing filing. Amends TCA Section 20-12-120. by *Buck.

***House Bill No. 2262** -- Election Laws - Requires employers to excuse from employment full-time employees who are appointed voting machine technicians performing such duties on part-time basis. Amends TCA Title 2. by *Buck.

House Bill No. 2263 -- Municipal Government - Establishes moratorium on new municipal incorporation and annexation without consent of county legislative body until 5/31/98. Amends TCA Section 6-1-202, Section 6-18-104; Section 6-30-106 and Section 6-51-102. by *Rhinehart.

House Bill No. 2264 -- Pensions and Retirement Benefits - Authorizes full retirement benefits for Group 3 members who complete 30 years of creditable service Amends TCA Section 8-36-201. by *Rhinehart, *Lewis.

***House Bill No. 2265** -- Day Care - Implements registration requirements for child welfare agencies providing child care for four or fewer children. Amends TCA Title 71, Chapter 3, Part 5. by *White, *Sands, *Fitzhugh, *McMillan.

***House Bill No. 2266** -- County Officers - Authorizes county executive to adopt personnel policy for employees of office Amends TCA Title 5, Chapter 23. by *Curtiss.

House Bill No. 2267 -- Annexation - Provides mechanisms whereby annexation plans of service may be enforced by residents of annexed territory; protects counties from certain revenue losses associated with municipal annexation and incorporation. Amends TCA Section 6-51-102; Section 6-51-108; Section 57-6-103; Section 67-2-119 and Section 67-6-712. by *Curtiss.

***House Bill No. 2268** -- Election Laws - Standardizes procedure for timing of certain elections on questions Amends TCA Section 5-21-126(b)(1); Section 9-21-209; Section 57-4-103(a)(2)(A) and Section 67-6-706(a)(2). by *Head.

***House Bill No. 2269** -- Taxes - Caps present distribution formula for wholesale beer tax, income tax and local option sales tax to existing cities for amount received on 6/30/98 Amends TCA Section 57-6-103; Section 67-2-119 and Section 67-6-712. by *Head.

***House Bill No. 2270** -- Pensions and Retirement Benefits - Authorizes creditable service for certain employment rendered as student employee in TCRS Amends TCA Title 8, Chapter 34, Parts 1 and 6. by *Hargett.

House Bill No. 2271 -- Teachers - Allows full-time certified teachers to take one free course per term at any state supported college, university or technology center on a space-available basis. Amends TCA Title 49, Chapter 7, Part 1. by *Hargett, *Newton, *Maddox, *Cooper B, *DeBerry J, *Kernell.

***House Bill No. 2272** -- Local Government, General - Requires member of local governing body abstaining for any reason other than conflict of interest to be counted for purpose of determining majority vote. Amends TCA Section 12-4-101. by *Curtiss.

House Bill No. 2273 -- County Government - Removes requirement that each employee be given copy of county personnel policy; replaces requirement with provision requiring employee access to copy of such policy. Amends TCA Section 5-23-107. by *McMillan, *Head.

***House Bill No. 2274** -- Regional Authorities - Authorizes human resource agencies to make contracts for purposes of obtaining financial assistance for acquisition, improvement, construction, operation, maintenance or repair of facilities. Amends TCA Title 13, Chapter 26, Part 1. by *Rhinehart.

House Bill No. 2275 -- Hospitals and Health Care Facilities - Prohibits limited liability company from operating certain health care facilities without license. Amends TCA Title 68, Chapter 11. by *Rhinehart.

House Bill No. 2276 -- Corporations, Not for Profit - Authorizes attorney general and reporter to conduct prior review of transactions relative to nonprofit corporations. Amends TCA Title 48, Chapters 51, 53 and 62. by *Rhinehart.

House Bill No. 2277 -- Taxes, Franchise - Redefines "medical supplies" for franchise and excise tax purposes to remove apparatus and appliances used in providing patient care services. Amends TCA Title 67, Chapter 4, Part 8 and Part 9. by *Rhinehart.

***House Bill No. 2278** -- Local Government, General - Authorizes counties and municipalities to enter into agreements with private or public nonprofit corporations to provide emergency and non-emergency ambulance service and if such contracts exist, then such corporations are considered to be public agencies. Amends TCA Title 7, Chapter 61 and Title 12, Chapter 9. by *Rhinehart, *Buck.

***House Bill No. 2279** -- Credit Unions - Authorizes commissioner of financial institutions to extend annual examination to 18 months if credit union received composite rating of 1 or 2 on last examination; commissioner to consider quality of management, capitalization, internal controls and other relevant factors. Amends TCA Section 45-4-1002(a). by *Rhinehart, *Hassell, *Mumpower, *Wood, *Curtiss, *Lewis, *Cole (Carter), *Boner, *Fraley, *Bowers, *White, *Phelan.

House Bill No. 2280 -- Corporations - Revises methods by which shareholder may authorize another person to act as proxy. Amends TCA Title 48, Chapter 17. by *Rhinehart.

House Bill No. 2281 -- Criminal Offenses - Creates Class E felony offense of cloning human being, which is growing human being from single cell of genetically identical human being through asexual reproduction. Amends TCA Title 39, Chapter 17, Part 1. by *Goins, *Boyer, *Curtiss, *Rhinehart, *Beavers, *Wood, *Pruitt, *Cross, *Givens, *Pleasant, *Haley, *McDaniel, *Davis R, *Godsey, *Whitson, *Huskey, *Halteman Harwell, *Ford S, *Cole (Carter), *Hassell, *Clabough, *McAfee, *Patton, *Fraley, *Gunnels, *Mumpower, *Walker, *Boner, *Dunn, *Bowers, *DeBerry J, *Buck, *Newton, *Roach.

House Bill No. 2282 -- Annexation - Requires election prior to annexation by ordinance if 20 percent of property owners and/or registered voters petition for election. Amends TCA Title 6, Chapter 51, Part 1. by *Ferguson, *Winningham, *Cross.

House Bill No. 2283 -- Tennessee Higher Education Commission - Allows THEC to enter into reciprocal agreements with other states for admission of each state's citizens to other state's institutions of higher education at in-state tuition rates in each state. Amends TCA Title 49, Chapter 8, Part 1. by *Head.

BILL REFERRAL

Pursuant to **Rule No. 44(c)(3)**, the following bill was referred to the following committee:

***House Bill No. 2232** -- Courts, General Sessions -- House Judiciary Committee

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 2104** -- Highway Signs -- House Transportation Committee

***House Bill No. 2105** -- Alcoholic Beverages -- House State & Local Government Committee

WEDNESDAY, JANUARY 21, 1998 -- FIFTY-FIFTH LEGISLATIVE DAY

***House Bill No. 2106** -- Teachers -- House Education Committee

***House Bill No. 2107** -- Firearms and Ammunition -- House Judiciary Committee

***House Bill No. 2108** -- Sentencing -- House Judiciary Committee

***House Bill No. 2109** -- Taxes, Privilege -- House Finance, Ways & Means Committee

House Bill No. 2110 -- Highway Signs -- House Transportation Committee

***House Bill No. 2111** -- Courts, General Sessions -- House Judiciary Committee

***House Bill No. 2112** -- Judicial Officers -- House Judiciary Committee

***House Bill No. 2113** -- Correctional Programs -- House State & Local Government Committee

House Bill No. 2114 -- Consumer Protection -- House Consumer & Employees Affairs Committee

***House Bill No. 2115** -- Animals -- House Agriculture Committee

House Bill No. 2116 -- Taxes, Real Property -- House State & Local Government Committee

House Bill No. 2117 -- Municipal Government -- House State & Local Government Committee

House Bill No. 2118 -- Nuclear Materials, Transportation and Safety -- House Government Operations Committee

***House Bill No. 2119** -- Insurance, Health, Accident -- House Commerce Committee

***House Bill No. 2120** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

***House Bill No. 2121** -- Agriculture -- House Agriculture Committee

***House Bill No. 2122** -- Pensions and Retirement Benefits -- House Finance, Ways & Means Committee

***House Bill No. 2123** -- Race Relations -- House Conservation & Environment Committee

***House Bill No. 2124** -- Aged Persons -- House Government Operations Committee

House Bill No. 2125 -- Insurance, Health, Accident -- House Commerce Committee

WEDNESDAY, JANUARY 21, 1998 -- FIFTY-FIFTH LEGISLATIVE DAY

***House Bill No. 2126** -- Taxes, Inheritance Gift -- House Finance, Ways & Means Committee

***House Bill No. 2127** -- Alcoholic Beverages -- House State & Local Government Committee

***House Bill No. 2128** -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 2129 -- Statutes -- House Judiciary Committee

***House Bill No. 2130** -- Taxes, Real Property -- House State & Local Government Committee

***House Bill No. 2131** -- Motor Vehicles, Titling and Registration -- House Transportation Committee

***House Bill No. 2132** -- Education -- House Education Committee

***House Bill No. 2133** -- Motor Vehicles, Titling and Registration -- House Government Operations Committee

***House Bill No. 2134** -- Utilities, Utility Districts -- House State & Local Government Committee

***House Bill No. 2135** -- Driver Licenses -- House Transportation Committee

House Bill No. 2136 -- Annexation -- House State & Local Government Committee

House Bill No. 2137 -- Annexation -- House State & Local Government Committee

***House Bill No. 2138** -- Military -- House State & Local Government Committee

***House Bill No. 2139** -- Highways, Roads and Bridges -- House Transportation Committee

House Bill No. 2140 -- Courts, Circuit -- House Judiciary Committee

***House Bill No. 2141** -- Criminal Offenses -- House Judiciary Committee

REPORTS FROM STANDING COMMITTEES

The committees that met on **January 20, 1998**, reported the following:

GOVERNMENT OPERATIONS

The Government Operations Committee recommended for passage: House Bill(s) No(s). 2050, 2051, 2052, 2053, 2054, 2062, 2064, 2065, 2067, 2068, 2069 and 2070. Under the rules, each was transmitted to the Calendar and Rules Committee.

CONSENT CALENDAR

House Bill No. 2036 -- Jellico - Repeals city charter; enacts new city charter. Repeals Chapter 336 of the Acts of 1903. by *Cross. (SB2043 by *McNally)

House Bill No. 2049 -- Coffee County - Abolishes part-time juvenile court; creates new general sessions court judgeship which will have juvenile court jurisdiction. Repeals Chapter 376, Private Acts of 1953, as amended. by *Lewis. (SB2070 by *Burks)

House Resolution No. 133 -- Memorials, Personal Achievement - Mimi Hughes, swam Bering Strait. by *Phillips.

House Joint Resolution No. 442 -- Memorials, Retirement - Dr. Margaret N. Perry, UT Martin Chancellor. by *Maddox.

House Joint Resolution No. 443 -- Memorials, Professional Achievement - Buster Williams, Martin Fire Chief, oldest active paid firefighter. by *Maddox.

House Joint Resolution No. 444 -- Memorials, Public Service - Mayor Robert Lankford, Gallatin. by *McDonald.

House Joint Resolution No. 445 -- Memorials, Professional Achievement - Cande Seay, Tennessee Outstanding Achievement Award. by *Caldwell.

House Joint Resolution No. 446 -- Memorials, Death - Reverend Artie Ray Chapman. by *Davis R.

House Joint Resolution No. 447 -- Memorials, Death - Charles C. Cureton. by *Davis R.

House Joint Resolution No. 448 -- Memorials, Retirement - Janet Smith. by *Bone.

Senate Joint Resolution No. 369 -- Memorials, Death - Ernest "Chip" Koella. by *Koella, *Atchley, *Cooper.

Rep. Clabough moved that all members voting aye on **Senate Joint Resolution No. 369** be added as sponsors, which motion prevailed.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

BILLS WITHDRAWN

On motion of Rep. Newton, **House Bill No. 289** was recalled from the Commerce Committee and withdrawn from the House.

On motion of Rep. Newton, **House Bill(s) No(s). 576, 577, 626, 1637, and 1238** were recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Newton, **House Bill No. 1851** was recalled from the Calendar & Rules Committee and withdrawn from the House.

On motion of Rep. Newton, **House Bill(s) No(s). 579 and 581** were withdrawn from the House.

On motion of Rep. McDaniel, **House Bill No. 1807** was recalled from the Finance, Ways & Means Committee and withdrawn from the House.

On motion of Rep. McDaniel, **House Bill No. 1795** was recalled from the Consumer & Employee Affairs Committee and withdrawn from the House.

On motion of Rep. McDaniel, **House Bill No. 1805** was recalled from the State & Local Government Committee and withdrawn from the House.

On motion of Rep. McDaniel, **House Bill No. 1242** was recalled from the Health & Human Resources Committee and withdrawn from the House.

On motion of Rep. Walley, **House Bill No. 1821** was recalled from the Children and Family Affairs Committee and withdrawn from the House.

On motion of Rep. Ridgeway, **House Bill No. 2120** was recalled from the Transportation Committee and withdrawn from the House.

REPORTS FILED

The Clerk announced that the final report of the Joint Select Committee on Business Taxes for 1996-97 has been filed with the Clerk's Office.

The Clerk announced that the Study Committee created pursuant to House Joint Resolution No. 279 to study waste tires has been filed with the Clerk's Office.

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 2094: Rep(s). Walker as prime sponsor(s).

House Bill No. 2271: Rep(s). Maddox, Cooper, Kernell and J. DeBerry as prime sponsor(s).

ENGROSSED BILLS

January 21, 1998

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 2036 and 2049, also, House Joint Resolution(s) No(s) 442, 443, 444, 445, 446, 447 and 448.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Garrett, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Huskey, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 9:00 a.m., Thursday, January 22, 1998.